

Ordinance No. 122062

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Council Bill No. 115510

AN ORDINANCE repealing Seattle Municipal Code
Section 4.04.225, Smoking in the work
environment.

The City of Seattle - Legislative
Council Bill/Ordinance sponsored

Committee

April 5, 2006 Passed 16, PM 2/0

CF No. _____

4-10-06 Passed 9-0

Date Introduced:	<u>March 13, 2006</u>	
Date 1st Referred:	To: (committee) <u>Finance and Budget</u>	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
<u>4-10-06</u>	<u>9-0</u>	
Date Presented to Mayor:	Date Approved:	
<u>4-10-06</u>	<u>4/14/06</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input type="checkbox"/> F.T. <input checked="" type="checkbox"/>
<u>4/17/06</u>	<u>1 pg</u>	
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready for presentation to Full

Law Department

Law Dept. Review

OMP
Review

City
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The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Richard J. McDer
Councilmember

Committee Action:

April 5, 2006 Passed 16-7 210

4-10-06 Passed 9-0

Budget

This file is complete and ready for presentation to Full Council. Committee: _____
(Initial/Date)

Law Department

Law Dept. Review

OMP
Review

City Clerk
Review

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ORDINANCE 122062

AN ORDINANCE repealing Seattle Municipal Code Section 4.04.225, Smoking in the work environment.

WHEREAS, Washington State voters in November 2005 passed Initiative 901 amending RCW 70.160 to prohibit smoking in public places and including a prohibition on smoking within a minimum distance of 25 feet from entrances, exits, windows, and ventilation intakes; and

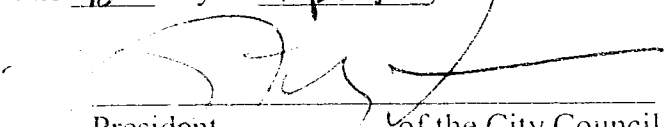
WHEREAS, This amendment to State law is more stringent than and supersedes the City's no smoking policy codified at SMC 4.04.225; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 4.04.225, Smoking in the work environment, Ordinance 113148 as amended, is hereby repealed.


Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 10th day of April, 2006, and signed by me in open session in authentication of its passage this 10th day of April, 2006.



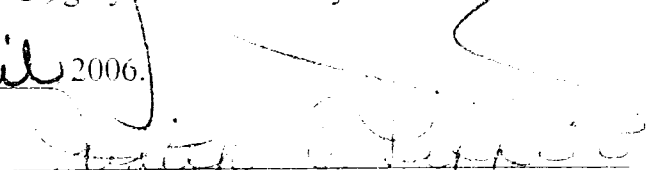
President _____ of the City Council

Approved by me this 14th day of April, 2006.



Gregory J. Nickels, Mayor

Filed by me this 17 day of April, 2006.



City Clerk

(Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Personnel	Kathy Steinmeyer/4-7921	Karen Grove/4-5805

Legislation Title:

AN ORDINANCE repealing Seattle Municipal Code Section 4.04.225, Smoking in the work environment.

- **Summary of the Legislation:**

This legislation repeals the City's no-smoking policy, codified at SMC 4.04.225, which is superseded by the amendment to RCW 70.160 passed in the November 2005 election as Initiative 901.

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

SMC 4.04.225 prohibits smoking in City work and common areas but permits smoking in outdoor areas unless smoke would be drawn into work or common areas. It also permits smoking in City vehicles as long as all occupants smoke, the person responsible for returning the vehicle cleans it of smoking debris and thoroughly airs it. I-901, amending RCW 70.160, which supersedes the City's ordinance, is significantly more stringent in its imposition of a minimum clearance for building entrances, exits, windows and ventilation intakes.

- *Please check one of the following:*

 x **This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

February 21, 2006

Honorable Nick Licata
President
Seattle City Council
City Hall, 2nd Floor

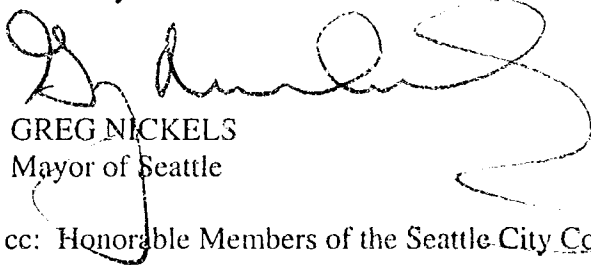
Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill, repealing Seattle Municipal Code 4.04.225, which codifies the City's policy on smoking in the work place. This ordinance is superseded by RCW 70.160 as amended by Initiative 901, which took effect on December 8, 2005, and prohibits smoking within 25 feet of entrances, exits, windows, and ventilation intakes in and around public buildings.

The City has taken the appropriate steps to install signs and designate legally compliant smoking areas around its buildings. City Personnel will provide information to departments about addressing the affect this may have on employees.

Thank you for your consideration of this legislation. Should you have questions, please contact Kathy Steinmeyer at 684-7921.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON – KING COUNTY

--SS.

197312

No.

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

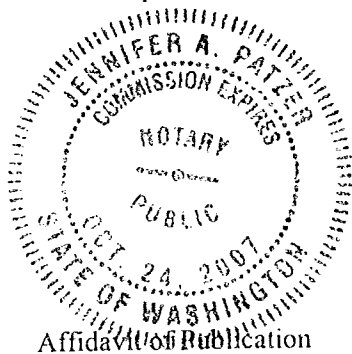
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122062 ORDINANCE

was published on

04/21/06

The amount of the fee charged for the foregoing publication is the sum of \$ 69.00, which amount has been paid in full.



Subscribed and sworn to before me on

04/21/06

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

ORDINANCE 122062

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WHEREAS, This amendment to State law is more stringent than and supersedes the City's no smoking policy codified at SMC 4.04.225; NOW, THEREFORE,

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Passed by the City Council the 10th day of April, 2006, and signed by me in open session in authentication of its passage this 10th day of April, 2006.

Nick Licata

President of the City Council

Approved by me this 14th day of April, 2006.

Gregory J. Nickels, Mayor

Filed by me this 17th day of April, 2006.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN,
City Clerk

Date of publication in the Seattle Daily
Journal of Commerce, April 21, 2006.

4/21(187312)